

ORIGINAL

SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

FILED-USDC-NDTX-DA
'25 APR 22 AM 10:52
KMB

UNITED STATES *ex rel.* DUSTIN
POOLE AND THOMAS STILLINGS,

Plaintiffs,

v.

MASTER EQUITY TEXAS
PARTNERSHIP d/b/a EMERGING
SOLUTIONS, AND MICHAEL
BINGHAM,

Defendants.

Civil Action No. 3:20-CV-02824-E

FILED IN SEALED CASE

UNITED STATES OF AMERICA'S NOTICE OF INTERVENTION

1. Pursuant to the False Claims Act, 31 U.S.C. §§ 3730(b)(2) and (4), the United States of America notifies the Court of its election to intervene in this civil action. The United States elects to intervene to assert claims against defendants Master Equity Solutions d/b/a Emerging Solutions, and Michael Bingham (collectively, Emerging Solutions), that Emerging Solutions violated the False Claims Act, 31 U.S.C. § 3729, *et seq.*, by causing the submission of false claims to Medicare by inducing healthcare providers to purchase and seek reimbursement for a percutaneous nerve stimulator. The United States intends to file a complaint in intervention, and requests that it be permitted to do so within ninety (90) days of the date of the Court's Order addressing this Notice.

2. The United States respectfully requests that only the Complaint, this Notice, and the attached proposed Order be unsealed and served upon the defendants. The United States asks that all other materials in this matter (including, but not limited to, any applications and accompanying memoranda filed by the United States for an extension of time in which to intervene or for any other reason) remain under seal and not be made public or served on the defendants at any time because, in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

3. A proposed order will be submitted.

Respectfully submitted,

CHAD MEACHAM
ACTING UNITED STATES ATTORNEY



ANDREW S. ROBBINS
Assistant United States Attorney
New York Bar No. 4836508
1100 Commerce Street, Third Floor
Dallas, Texas 75242-1699
Telephone: 214-659-8697
Facsimile: 214-659-8807
Email: andrew.robbs@usdoj.gov

Attorneys for the United States of America

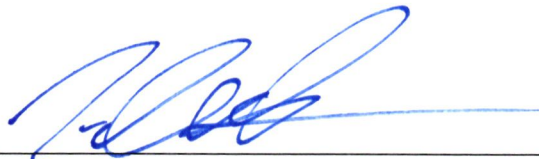
CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2025, a copy of the foregoing pleading and proposed order were mailed by first class mail to counsel for Relator:

Charles S. Siegel
Caitlyn E. Silhan
WATERS & KRAUS LLP
3141 Hood Street, Suite 700
Dallas, Texas 75219

Jeffrey W. Dickstein
PHILLIPS & COHEN, LLP
One Biscayne Tower
2 South Biscayne Boulevard, Suite 1600
Miami FL 33131

Amy L. Easton
PHILLIPS & COHEN LLP
2000 Massachusetts Avenue, NW
Washington, DC 20036



ANDREW S. ROBBINS
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES *ex rel.* DUSTIN POOLE
AND THOMAS STILLINGS,

Plaintiffs,

v.

MASTER EQUITY TEXAS
PARTNERSHIP d/b/a EMERGING
SOLUTIONS, AND MICHAEL
BINGHAM,

Defendants.

Civil Action No. 3:20-CV-02824-E

FILED IN SEALED CASE

[PROPOSED] ORDER

The United States having intervened in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the Court **ORDERS** that:

1. The Relator's Complaint, the United States' Notice of Intervention, and this Order be unsealed;
2. The United States file its Complaint in Intervention within 90 days of this Order;
3. All other papers or orders on file in this matter shall remain under seal; and
4. The seal be lifted on matters occurring in this action after the date of this Order.

SO ORDERED.

Dated this ____ day of April, 2025.

ADA E. BROWN
UNITED STATES DISTRICT JUDGE